### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

PICCONE, L.

Atty. Ref.: 1303-138

Serial No. 10/070,949

Group:

Filed: March 26, 2002

Examiner:

For: APPARATUS DESIGNED TO MODULATE THE NEUROVEGETATIVE SYSTEM AND INTEGRATE ITS ACTION WITH THAT OF THE CENTRAL NERVOUS SYSTEM; APPLICATIONS IN THE TREATMENT OF THE VASCULAR SYSTEM AND ORTHOPAEDIC DISORDERS

May 7, 2002

**Assistant Commissioner for Patents** Washington, DC 20231

Sir:

### RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371

Responsive to the Notification of Missing Requirements mailed April 24, 2002 (a copy of which is attached), it is respectfully submitted that the executed Declaration (copy attached) and Assignment were filed on March 26, 2002. A copy of the PTO mail room date-stamped postcard indicating receipt of the executed Declaration is attached hereto.

Confirmation of receipt of the executed Declaration is respectfully requested.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:

R. Crawford

Reg. No. 25,327

ARC:pfc

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Arlington, VA 22201-4714 Telephone: (703) 816-4000

Facsimile: (703) 816-4100

PCT/EP01/08756 Serial No.: unknown Inventor/s: PICCONE, L.

C#/M#: 1303-138 Atty: Arthur R. Crawford Date: March 26, 2002

Title: APPARATUS DESIGNED TO MODULATE THE

NEUROVEGETATIVE SYSTEM AND INTEGRATE ITS ACTION WITH THAT OF THE CENTRAL NERVOUS SYSTEM; APPLICATIONS IN THE TREATMENT OF THE VASCULAR SYSTEM AND

**ORTHOPAEDIC DISORDERS** 

XX

Declaration (1 Pages)

\$ Fee (Check) - Pre-Bill

\$ Fee (Check) - Non Pre-Bill

\$0.00 = Total Fee Enclosed
Other: Notice of Missing Parts



## RECEIVED

AUG - 6 2002

TECHNOLOGY CENTER R3700

FORM PTO-1390 (HEV 11,2000)			U.S. DEPARTMENT C	F COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNET DOCKET NUMBER 1303-138						
				R TO THE UNITED STATES	U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)						
	DESIGNATED/ELECTED OFFICE (DO/EO/US)  CONCERNING A FILING UNDER 35 U.S.C. 371  unknown										
ا ا	ÌNA⁻		APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED						
٠,	,		P01/08756	27/07/2001	28/07/2000						
TITI	TITLE OF INVENTION										
	APPARATUS DESIGNED TO MODULATE THE NEUROVEGETATIVE SYSTEM AND INTEGRATE ITS ACTION WITH THAT OF THE CENTRAL NERVOUS SYSTEM; APPLICATIONS IN THE TREATMENT OF THE VASCULAR SYSTEM AND ORTHOPAEDIC DISORDERS										
APF	PLICA	NT(S) F	OR DO/EO/US	PICCONE, L.							
Ann	licant	harawit	h submits to the I Inite		US) the following items and other information:						
лрр 1.				_							
2.	×	This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.  This is a SECOND or SUBSECUENT submission of items concerning a filing under 35 U.S.C. 371.									
3.		This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.  This is an express request to begin national examination procedures (35 U.S.C. 371/ft). The submission must include:									
J.	٠.	This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.									
4.		The U.S. has been elected by the expiration of 19 months from the priority date (Article 31).									
5.	A co	copy of the International Application as filed (35 U.S.C. 371(c)(2)).									
	a.	is attached hereto (required only if not communicated by the International Bureau).									
	b.	has been communicated by the International Bureau.									
	¢.	is not required, as the application was filed in the United States Receiving Office (RO/US).									
6.		An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).									
	a.	is attached hereto.									
	b.	has been previously submitted under 35 U.S.C. 154(d)(4).									
7.		Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))									
	a.	are attached hereto (required only if not communicated by the International Bureau).									
	b.	have been communicated by the International Bureau.									
	c.	have not been made; however, the time limit for making such amendments has <b>NOT</b> expired.									
	d.	have not been made and will not be made.									
8.		An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).									
9.	$\boxtimes$	An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).									
10.		A English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).									
	Items 11 To 20 below concern document(s) or information included:										
11.		An Info	rmation Disclosure St	atement under 37 C.F.R. 1.97 and 1.98.							
12.		An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.									
13.		A FIRST preliminary amendment.									
14.		A SECOND or SUBSEQUENT preliminary amendment.									
15.		A substitute specification.									
16.		A chan	ge of power of attorne	ey and/or address letter.							
17.		A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.									
<b>1</b> ^		A second copy of the published international application under 35 U.S.C. 154(d)(4).									
1 <sub>Ծ</sub> .		A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).									
20.		Other it	tems or information.								

1	TION NO. (If known, see 37 C.F.R. 1.5) INTERNATIONAL APPLICATION NO.				ATTORNEY'S DOCKET NUMBER 1303-138				
	unknown PCT/EP01/08756 . ☑ The following fees are submitted:				ALCULATIONS	PT	O USE ONLY		
	FFF (37 C F	R 1 492(a)	(1)-(5).			₽	ALLULATIONS		J USE ONLY
BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5):  Neither international preliminary examination fee (37 C.F.R. 1.482) nor international search fee (37 C.F.R. 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO\$1040.00								٠.	
International preliminary examination fee (37 C.F.R. 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO\$890.00									· · · · ·
International preliminary examination fee (37 C.F.R. 1.482) not paid to USPTO but international search fee (37 C.F.R. 1.445(a)(2)) paid to USPTO\$740.00									
International preliminary examination fee (37 C.F.R. 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)\$710.00									
International preliminary examination fee (37 C.F.R. 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)\$100.00									
	ENTER APPROPRIATE BASIC FEE AMOUNT =								
Surcharge of \$130.00 for months from the earlies			declaration later than 20 7 C.F.R. 1.492(e)).	□ 30		s	0.00		
. CLAIMS	NUMBE	R FILED	NUMBER EXTRA		RATE				
Total Claims	20	-20 =		Х	\$18.00	\$	0.00		
Independent Claims	] 3	-3 =		Х	\$84.00		0.00	<u> </u>	
MULTIPLE DEPENDEN	T CLAIMS(S)	(if applical	ble)		280.00	\$	0.00	<u> </u>	····
Applicant claims of	mall antity ata	tue See 2	TOTAL OF AB 7 CFR 1.27. The fees indica		JULATIONS =	\$	0.00	├	<del></del>
are reduced by 1/2		ius. See s	/ CFN 1.27. The lees male	ileu above			0.00		
are received by me	••	· · · · · · · · · · · · · · · · · · ·			SUBTOTAL =	\$	0.00	1	
Processing fee of \$130.	00, for furnish	ing the Eng	glish Translation later than					T	
months from the earliest	months from the earliest claimed priority date (37 C.F.R. 1.492(f)).								
					IONAL FEE =	\$	0.00		
			C.F.R. 1.21(h)). The assignm C.F.R. 3.28, 3.31). <b>\$40.00</b> j				0.00		
						\$ \$	0.00	$\vdash$	·
Fee for Petition to Revive Unintentionally Abandoned Application (\$1280.00 - Small Entity = \$640.00)  TOTAL FEES ENCLOSED =						s	0.00	┢	· · · · · · · · · · · · · · · · · · ·
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b. Please charge A duplicate co c. The Commiss overpayment	e my Deposit on the my of this formioner is herebook to Deposit Action	Account Non is enclosed by authorized count No. 1	er the above fees is enclose b. 14-1140 in the amount of Sed. ed to charge any additional feed. 14-1140. A duplicate copy of cation(s), referred to in this a	to one of the second in this form in	s enclosed.	l, or	credit any	renc	e in this
			r 37 C.F.R. 1.494 or 1.495 h e application to pending s		en met, a petiti	on t	o revive (37 (	C.F.(	₹. 1.137(a)
SEND ALL CORRESPO	NDENCE TO	):			whik. C	Me			
				SIGNAT	URE	$\mathcal{T}$			<del></del>
NIXON & VANDERHYE 1100 North Glebe Road,	8 <sup>th</sup> Floor					•			
Arlington, Virginia 22201 Telephone: (703) 816-40				Δrthur	R. Crawford				
ARC:pfc NAME									
·									
				25,327			March 26,	2002	<u> </u>
				REGIST	RATION NUMBE	:R	Date		



#### UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT United States Patent and Trademark Office Washington, D.C. 20231

U.S. APPLICATION NUMBER 1	NO.	F	RST NAMED APPLICANT	• .	ATTY	. DOCKET NO.		
10/070,949		Lorenzo Piccone .			1303-138			
		DOCKETED		INTERNATIONAL APPLICATION NO.				
			_	PCT/EP01/08756				
Nixon & Vanderhye	CLT/MA	CLT/MATTER #		I.A. FILI	NG DATE	PRIORITY DATE		
1100 North Glebe Road	MAILD	ATE	4.24-02	07/27	/2001	07/28/2000		
8th Floor	DUE DA		Jun 24, 2002	_				
Arlington, VA 22201-4714	FINAL	FINAL DEADLINE LON. 24			CONFIRMATION NO. 4722			
	DOCK	TED BY_	pay ms	371 FORMALITIES LETTER				
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			•	*OC00000000	7938941*			

Date Mailed: 04/24/2002

# NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- · Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Preliminary Amendments
- Request for Immediate Examination

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The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

• Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

## A copy of this notice MUST be returned with the response.

### SHAKEEL AHMED

Telephone: (703) 305-3659

## PART 1 - ATTORNEY/APPLICANT COPY

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO. 2700		
10/070,949	PCT/EP01/08756	1303-138		

FORM PCT/DO/EO/905 (371 Formalities Notice)